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E-Filed July 5,2017

Proposed Attorney for Debtor

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADA**

In re:  
BETRA MFG. CO .

Case No. BKN-17-50783 BTB  
Chapter -11-

**EX-PARTE APPLICATION FOR  
ORDER SHORTENING TIME  
FOR HEARING UPON  
FIRST DAY MOTIONS FILED  
AS DOCKET NOS. 13 &14.**

(NO HEARING REQUIRED)

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BETRA MFG. CO . ( “BETRA”) by and through proposed counsel above named pursuant to F. Rules of Bankr. P. 4001, 4001(b)(2) , 9006c and LR(s) 4001(b) and 9006, hereby requests a hearing on shortened time for Debtor’s AMENDED MOTION PURSUANT TO 11 USC SECTIONS 105(a), 363(b), and 507 FOR INTERIM AND FINAL ORDERS FOR AUTHORIZING (I) PAYMENT OF WAGES, COMPENSATION AND EMPLOYEE BENEFITS AND CURRENT VENDOR OBLIGATIONS AND (II) AUTHORIZING AND DIRECTING FINANCIAL INSTITUTIONS TO HONOR AND PROCESS CHECKS AND TRANSFERS RELATED TO SUCH OBLIGATIONS (DKT 13) AND MOTION PURSUANT TO 11 SECTIONS 105(a) and 363c FOR INTERIM AND FINAL ORDERS AUTHORIZING DEBTOR’S USE OF CASH COLLATERAL. (DKT 14)

1 This Application is supported by the following Points and Authorities and Declaration  
2 of Stephen G. Young, Attorney Information Sheet (filed separately) and the pleadings and  
3 papers already present in this Case.

4 Dated: This 5<sup>th</sup> Day of July, 2017.

5 /s/ Stephen G. Young  
6 STEPHEN G. YOUNG  
7 Proposed Attorney for Debtor

8 POINTS AND AUTHORITIES

9 Facts:

- 10 1. Betra is foundry, it forges metal ingots into metal parts that are shipped to customers  
11 nationwide who then use those parts for their own purposes.  
12 2. Payroll is approx. \$13,000 per week.  
13 3. Betra is managed under separate contract with Mr. Gino Disimone Dba D2 Industry LLC.  
14 4. Betra now pays cash for delivery of ingot and other metal raw materials, chemicals, and  
15 packaging materials and other supplies.  
16 5.. Counsel is informed ( by Betra management) and believes that vendors will accept (and are  
17 accepting) cash payment for current shipments and these vendors understand that payments on  
18 pre-petition outstanding balances will not be made at present.  
19 6. Betra management has informed counsel that it must use existing cash to satisfy immediate  
20 need for payroll, managerial services, raw materials and supplies in order to maintain Betra as  
21 a going concern.

22 Legal Standards; Fed R. Bankr.P. 9006 c states:

23 “Reduction.

24 (1) In General. Except as provided in paragraph (2) of this subdivision, when an act is  
25 required or allowed to be done at or within a specified time by these rules or by a  
26 notice given thereunder or by order of court, the court for cause shown may in its  
27 discretion with or without motion or notice order the period reduced”  
28

1 and Fed R. Bankr.P. 4001 (b)(2) states:

2 “Hearing. The court may commence a final hearing on a motion for authorization to  
3 use cash collateral no earlier than 14 days after service of the motion. If the motion so  
4 requests, the court may conduct a preliminary hearing before such 14-day period  
5 expires, but the court may authorize the use of only that amount of cash collateral as is  
6 necessary to avoid immediate and irreparable harm to the estate pending a final  
7 hearing.” id.

8 Discussion:

9 Management has informed counsel that Betra has ongoing orders to fill and the services  
10 provided the company are not without demand.

11 Any cessation of operations would be devastating to the prospect of a sale of the  
12 company on favorable terms.

13 DECLARATION OF STEPHEN G. YOUNG

14 State of Nevada     )  
15                                 ) ss:  
16 County of Washoe    )

17 I, Stephen G. Young, declare under penalty of perjury the following is true and correct  
18 except those matters set forth under information and belief and as to those matters I believe  
19 them to be true.

20 1. I am an attorney licensed to practice in all Courts of the State of Nevada including this  
21 Court and my Bar Number is 4427.

22 2. That I am the retained and proposed counsel for Debtor Betra.

23 3. That I presented a Emergency Petition under Chapter 11 of the Bankruptcy Code on or  
24 about June 27, 2017 at a late hour.

25 4. That within the ensuing time period to present I have become reasonably aware the  
26 business circumstances of my client, including a visit to company premises (no detailed  
27 inspection).

28 5. As such, the facts set forth herein are true and correct to the best of knowledge.

6. Therefore, I believe my client will suffer immediate and irreparable harm if an

1 immediate order upon the Motions at bar is not issued.

2 7. The Debtor requests an immediate hearing for Thursday, July 6, 2017, or the next  
3 available date on the Court's calendar.

4 DATED: This 5<sup>th</sup> July, 2017

5 s/ Stephen G. Young  
6 STEPHEN G. YOUNG  
7 Proposed Attorney for Debtor  
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